

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ALLIANCE FOR AUTOMOTIVE
INNOVATION,

Plaintiff,

V.

MAURA HEALEY, Attorney General of the
Commonwealth of Massachusetts, in her official
capacity,

Defendant.

Case No. 1:20-cv-12090-DPW

NOTICE BY THE UNITED STATES OF POTENTIAL PARTICIPATION

The United States respectfully notifies the Court and the parties that it is considering whether to participate in this action pursuant to 28 U.S.C. § 517. That statute authorizes the Attorney General of the United States to send any officer of the Department of Justice to “attend to the interests of the United States in a suit pending in a court of the United States, or in the courts of a State, or to attend to any other interest of the United States.” 28 U.S.C. § 517.

As the Court is aware, this case concerns a recently-enacted Massachusetts law—Massachusetts SD645, codified at Chapter 93K of the Massachusetts General Laws—requiring certain vehicle manufacturers to design their systems so as to provide vehicle owners and third-party repair facilities with a specific form of access to the vehicle system. *See generally* Compl., ECF No. 1. Because this case potentially implicates federal motor vehicle safety laws, oversight, and enforcement, the United States is actively considering whether to file a Statement of Interest with the Court.

The process for deciding whether the United States should file a Statement of Interest or otherwise participate in an action involves coordination among multiple government components

and the approval of the U.S. Department of Justice through the Assistant Attorney General for the Civil Division. This approval process usually takes several weeks. By May 21, 2021, the United States intends to advise the Court either that the authorization process is still ongoing or that the Federal Government has decided whether to participate in the litigation.

The United States sincerely appreciates the Court's consideration and patience.

Dated: May 3, 2021

Respectfully submitted,

MICHAEL D. GRANSTON
Deputy Assistant Attorney General

JACQUELINE COLEMAN SNEAD
Assistant Branch Director

/s/ Daniel Riess
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CERTIFICATE OF SERVICE

I certify that on May 3, 2021, I caused a copy of the foregoing to be filed electronically and that the document is available for viewing and downloading from the ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. If any counsel of record requires a paper copy, I will cause a paper copy to be served upon them by U.S. mail.

/s/ Daniel Riess